



Martin O'Malley, *Governor*  
Anthony G. Brown, *Lt. Governor*  
Abigail Hopper *Acting Director*

**Amendment #2 to  
Requests for Proposals (RFP)  
Survey Exercise to Identify Potential Sites  
for an Offshore Wind Transfer Station  
June 12, 2013**

Ladies and Gentlemen:

This Amendment is being issued to amend and clarify certain information contained in the above named RFP. All information contained herein is binding on all offerors who respond to this RFP. Specific parts of the RFP have been amended. The following revisions /deletions / additions are listed below; new language has been double underlined and marked in bold (ex. **new language**) and language deleted has been marked with a strikeout (ex. ~~language deleted~~).

The following Frequently Asked Questions (FAQ) have been assembled to provide clarification regarding MBE requirements for this solicitation and to stress the importance of properly completing the MBE participation forms.

**1. QUESTION: How do you get certified as an MBE?**

**STATE RESPONSE: Certification is run through the Maryland Department of Transportation (MDOT). Additional information can be found on the MDOT website at <http://www.mdot.maryland.gov/Office%20of%20Minority%20Business%20Enterprise/Overview>**

**To be eligible as an MBE your firm must be certified in the classifications being sought through this RFP. The MDOT website provides the information necessary to find MBEs who are qualified to perform specific types of jobs based on the North American Industrial Classification System or NAICS.**

**2. QUESTION: What does “Maryland certified” mean?**

**STATE RESPONSE: To be “Maryland certified”, a contractor must be a MBE certified by the State of Maryland. A MBE contractor’s offices can be located in another State (i.e. Virginia, DC) but still receive Maryland MBE certification. To be eligible as a MBE, your firm must be certified in the classifications being sought through this RFP**

**3. QUESTION: Can you estimate the MBE graduation rate?**

**STATE RESPONSE: Graduation is defined as the removal of a firm's eligibility to be certified as an MBE/DBE based upon its having met or exceeded the small business size standards applicable to one or more of the North American Industry Classification System (NAICS) Codes in which the firm is certified. A contractor must be MBE eligible on the date of the proposal submission. For specific information, check the Office of Minority Business website:**  
**[http://www.mdot.state.md.us/MBE\\_Program/Index.html](http://www.mdot.state.md.us/MBE_Program/Index.html)**

**4. QUESTION: If an MBE is the prime contractor, does that count towards the MBE goal, or must the MBE prime also use MBE subs to count towards the 25%?**

**STATE RESPONSE: An MBE prime cannot be counted towards the contract goal of 25%. Maryland law was changed recently so that it places all prime contractors on the same footing and requires that all prime contractors must sub-contract to achieve the goals. The MBE program is race neutral which means that all vendors at the prime contractor level need to comply with all the requirements i.e. they need to meet the subcontracting goals even if they are themselves MBEs.**

**5. QUESTION: If a prime vendor submits with another company as a team and the partner company is an MBE, can the partner company be considered an MBE subcontractor?**

**STATE RESPONSE: Yes. The partner company's information should be submitted on the MBE sub-contractor form.**

**6. QUESTION: Is exceeding the MBE goal a discriminator?**

**STATE RESPONSE: Exceeding the MBE goal would be considered as an economic benefit to Maryland. A proposal is evaluated first on technical merit, then financial merit, and finally using the economic benefits to Maryland- exceeding the MBE goal would come into play at this point in the evaluation process.**

**7. QUESTION: Does the State of Maryland look at MBE performance on existing contracts?**

**STATE RESPONSE: As part of the proposal, applicants must include a list of State contracts that they have been awarded over the last few years. As part of this process, MEA can follow-up on how the existing contracts are progressing, including performance against the MBE goal.**

**8. QUESTION: If you have multiple MBE subcontractors, do you submit a budget sheet for each one?**

**STATE RESPONSE: No, you should submit one budget sheet showing all MBE contractors. On the budget sheet, you must list each MBE contractor and the percentage of the contract that each MBE contractor will receive. All of the percentages must add up to a minimum of 25% to meet the MBE goal for this program.**

**9. QUESTION: If the Offeror quickly identifies a qualified MBE firm (prior to making full outreach efforts), is Offeror still required to perform full outreach efforts? For full outreach efforts, how many MBEs is the Prime Offeror expected to contact**

**STATE RESPONSE: There is no prescribed number of outreach efforts to select an MBE; it is up to the Prime Contractor. However, if a waiver is requested, outreach efforts must be demonstrated. When using a waiver, there is a timeliness factor with regard to the outreach to MBEs. Specifically, there's a 10 day minimum window. So you need to do your MBE outreach no less than 10 days prior to your proposal submission.**

**10. QUESTION: When should Form D-1 be submitted?**

**STATE RESPONSE: Form D-1 should be submitted with the proposal.**

**11. QUESTION: When should Form D-2 be submitted?**

**STATE RESPONSE: Form D-2 should be submitted 10 days after notice of Contract award. Only form D-1 is required to be submitted at the time of the proposal. Failure to submit this form is not curable and a fatal mistake. The form also needs to be filled out completely and accurately. If the form is filled out incorrectly, some of those mistakes may be fatal.**

**12. QUESTION: Is the 25% MBE goal based over the life of the contract, per individual, per project assignment, or per year?**

**STATE RESPONSE: Is 25% of the total contract dollar amount.**

**13. QUESTION: Is there a limit to the number of MBE firms that can be brought into this work?**

**STATE RESPONSE: There is no set limit. The prime contractor can subcontract to one or more MDOT-certified MBE firms. The combined percentage of MBE participation would add up to, or exceed, the 25% participation goal.**

Proposals may not be submitted by e-mail or facsimile. Proposals are due on Monday, June 17, 2013 by 4:00PM. Should you require clarification of the information provided in this addendum, please contact me at (410) 260-7752 as soon as possible.

Date Issued: **June 12, 2013**

Issued by:  
Maria Ulrich  
Procurement Officer